



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
16TH SESSION
WEDNESDAY, SEPTEMBER 4, 2019
10 A.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10 a.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- By faxing to 768-3826 your name, phone number and subject matter;
- By filling out the registration form in person; or
- By calling 768-3814.

Persons who have not registered to testify by 10 a.m. will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker shall not have anyone else read their statement and is limited to:

- three-minute presentation on Public Hearing, New Business and Sunshined items;
- one-minute presentation on all other items.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, will be available to the public on both the City Council's pilot website: www.honolulucitycouncil.com as well as the City's legacy DocuShare Website.

The Council will recess from 12:30 p.m. to 1:30 p.m.

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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet" §92-7.5, HRS) are available for public inspection at the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.).

Accommodations are available upon request to persons with disabilities, please call 768-3814 or send an email to jyamane1@honolulu.gov at least three working days prior to the meeting.

The Meeting is viewable by: (1) internet live streaming through www.honolulucitycouncil.com and http://olelo.granicus.com/MediaPlayer.php?publish_id=92; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS
Wednesday, September 4, 2019

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

CALL TO ORDER – 10 A.M.

Roll Call

Introduction of Guests

Approval of Minutes of the 14th and 15th Sessions

ORDER OF BUSINESS
Wednesday, September 4, 2019

ORDER OF THE DAY

PUBLIC HEARING/RESOLUTIONS

Resolution 19-184 (Public Safety and Welfare)

Confirming the appointment of Marc E. Dexter to serve on the Citizens Advisory Commission on Civil Defense of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 19-185 (Parks, Community Services
and Intergovernmental Affairs)

Confirming the reappointment of Christopher A. Dacus to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 19-186 (Parks, Community Services
and Intergovernmental Affairs)

Confirming the reappointment of Ricky H. Taniguchi to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS

Wednesday, September 4, 2019

Resolution 19-200 (Zoning, Planning and Housing)

Confirming the appointment of Ms. Eileen Aki Marceau to serve on the Planning Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 19-201 (Zoning, Planning and Housing)

Confirming the appointment of Mr. Brian Lee to serve on the Planning Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 19-202 (Zoning, Planning and Housing)

Confirming the reappointment of Mr. Ken K. Hayashida to serve on the Planning Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, September 4, 2019

PUBLIC HEARING/SECOND READING

BUDGET

CR-246

Bill 42

Amending Ordinance No. 18-39. (Updating and amending Ordinance 18-39 regarding the limitations on the City Subsidy to the capital cost of the Honolulu Rail Transit Project.)

PASS SECOND READING

CR-247

Bill 43

Relating to transportation sharing companies. (Establishing fees for the use of City real property by transportation sharing companies in order to help defray associated costs to the City, protect public health and safety, and ensure that the use of City real property by transportation sharing companies benefits the public.)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, September 4, 2019

BUDGET (Cont'd.)

CR-248

Bill 44

Relating to shared micromobility vehicles. (Authorizing the City to reserve parking stalls and other areas for a fee for the deployment and parking of shared micromobility vehicles fleets, and to set the conditions and requirements for these permits.)

PASS SECOND READING

ZONING, PLANNING AND HOUSING

CR-266

Bill 25, CD1

Relating to the adoption of the State Energy Conservation Code. [Regulating the design and construction of residential and commercial buildings for the effective use of energy through the adoption of the State Energy Conservation Code (2017), subject to the local amendments herein.]

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS

Wednesday, September 4, 2019

ZONING, PLANNING AND HOUSING (Cont'd.)

CR-267

Bill 41, CD1

To adopt the revised Central Oahu Sustainable Communities Plan for the City and County of Honolulu. (Repealing the existing Sustainable Communities Plan for Central Oahu, Article 5, Chapter 24, Revised Ordinances of Honolulu 1990, and adopting a new Article 5 incorporating the revised Central Oahu Sustainable Communities Plan.)

PASS SECOND READING, AS AMENDED

PUBLIC SAFETY AND WELFARE

CR-272

Bill 39, CD1

Establishing a program for extended lifeguard services within the Department of Emergency Services. (Establishing a program in the Department of Emergency Services to address public safety concerns arising from frequent drownings at public beach parks by extending lifeguard services at public beaches to cover day time hours.)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, September 4, 2019

PUBLIC SAFETY AND WELFARE (Cont'd.)

CR-273

Bill 40

Relating to plastic. (Addressing the provision of certain single-use plastic goods and plastic bags.)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, September 4, 2019

THIRD READING

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-257

Bill 35, CD1

Relating to intergovernmental and private grant agreements. (Making certain changes to the requirements for Council approval of intergovernmental agreements and private grant agreements.)

PASS THIRD READING, AS AMENDED

ZONING, PLANNING AND HOUSING

CR-265

Bill 24, CD2

Relating to construction inspections. (Helping expedite the construction of certain buildings and other structures by establishing a process, called special assignment inspections, to allow some construction activity to begin while building permit applications are still being reviewed. The landowner and the building permit holder assume all responsibility in the event that the construction does not comply with applicable codes.)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS

Wednesday, September 4, 2019

TRANSPORTATION

CR-271

Bill 38, CD2

Relating to loading zones and bus stops. (Establishing a supplemental permit to allow parking in loading zones located within the boundary of a Transportation Management Special Improvement District, authorizing rule-making that includes the adoption of rules capping the number of supplemental permits issued and other provisions relating to loading zones within specific Transportation Management Special Improvement Districts, and updating certain provisions, including those relating to fees, for permits to park in loading zones and official bus stops.)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, September 4, 2019

FIRST READING

Bill 45 (Public Infrastructure, Technology
and Sustainability)

Relating to watersheds and water reservoirs. (Restricting access to public property used as access to a watershed or water reservoir site.)

PASS FIRST READING

Bill 46 (Budget)

Relating to real property tax relief. (Providing real property tax relief to certain homeowners.)

PASS FIRST READING

ORDER OF BUSINESS

Wednesday, September 4, 2019

Bill 47

(Budget)

Relating to real property tax exemptions for homes.
(Amending the ordinances relating to the real property tax exemption for homes.)

PASS FIRST READING

Bill 48

(Parks, Community Services
and Intergovernmental Affairs)

Relating to exceptional trees. (Amending the protective regulations for exceptional trees.)

PASS FIRST READING

Bill 49

(Budget)

Relating to real property taxation. (Modifying the City's method of establishing the valuation of real property for real property tax purposes in order to bring tax relief to homeowners.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, September 4, 2019

RESOLUTIONS

PARKS, COMMUNITY SERVICES AND INTERGOVERNMENTAL AFFAIRS

CR-243

Resolution 19-189, CD1

Accepting a gift to the City from Mr. Jay Shidler.

FOR ADOPTION, AS AMENDED

CR-244

Resolution 19-190

Accepting of a gift to the City from Mr. Jay Shidler.

FOR ADOPTION

CR-242

Resolution 19-123

Naming the Waimanalo Beach Park Baseball Field in honor of Joe Kapule, Jr.

FOR ADOPTION

ORDER OF BUSINESS

Wednesday, September 4, 2019

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-258

Resolution 19-196

Supporting the Governor's efforts to intervene between Na Poe Kokua, the Hawaii Fair Lending Coalition, and the Bank of America to reach a settlement agreement relating to a \$150 million loan commitment for native Hawaiians on Hawaiian Home Lands.

FOR ADOPTION

Resolution 19-196, Proposed FD1
(Submitted by Councilmember Menor)

CR-259

Resolution 19-213

To retain the legal services of Rebecca Copeland, Esq. as Special Counsel for the Honolulu Police Commission on behalf of Appellee Honolulu Police Commission in legal actions entitled 1) City and County of Honolulu, by the Department of the Corporation Counsel v. Honolulu Police Commission and Louis M. Kealoha, Civil No. 19-1-0907-06 JHA (Cir. Ct.) and 2) Louis M. Kealoha v. City and County of Honolulu, and Honolulu Police Commission, Civil No. 19-1-0913-06 JHA (Cir. Ct.)

FOR ADOPTION

ORDER OF BUSINESS

Wednesday, September 4, 2019

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-260

Resolution 19-214

To retain the legal services of Farm Benedict Sugihara A Liability Law Partnership LLP as Special Counsel for the City and County of Honolulu on behalf of Appellant City and County of Honolulu by the Department of the Corporation Counsel in a legal action entitled City and County of Honolulu by the Department of Corporation Counsel v. Honolulu Police Commission; Louis M. Kealoha, Civil No. 19-1-0907-06 JHA (Circuit Court)

FOR ADOPTION

CR-261

Resolution 19-215

To request additional funds for Contract No. SC-COR-1800059 to continue the services of the Law Office of Cary T. Tanaka, as Special Counsel for the City and County of Honolulu on behalf of defendant Robert Jaeger in a legal action entitled Gordon J. Knowles v. Sheryl Sunia, et al., Civil No. 16-1-1086-6 BIA.

FOR ADOPTION

ORDER OF BUSINESS

Wednesday, September 4, 2019

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-262

Resolution 19-216

To request additional funds for Contract No. SC-COR-1900064 to continue the services of Farella Braun & Martell LLP as Special Deputy Corporation Counsel for the City and County of Honolulu for matters involving criminal law.

FOR ADOPTION

BUDGET

CR-249

Resolution 19-172, CD1

Accepting a gift to the City from the Hawaii State Department of Labor and Industrial Relations, Workforce Development Council.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, September 4, 2019

BUDGET (Cont'd.)

CR-250

Resolution 19-175

Relating to the transfer of funds. (Department of Community Services)

FOR ADOPTION

CR-251

Resolution 19-183

Relating to the transfer of funds. (Department of Facility Maintenance)

FOR ADOPTION

CR-252

Resolution 19-187

Relating to the transfer of funds. (Department of Transportation Services)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 4, 2019

BUDGET (Cont'd.)

CR-253

Resolution 19-191, CD1

Approving an expenditure from the Clean Water and Natural Lands Fund to acquire a perpetual conservation easement on two parcels, Tax Map Keys: 4-9-003: 003 and 004, in Kaneohe, Oahu, Hawaii.

FOR ADOPTION, AS AMENDED

Resolution 19-191, CD1, Proposed FD1
(Submitted by Councilmember Manahan)

CR-254

Resolution 19-192

Approving the disposal by negotiated sale of surplus Board of Water Supply real properties and real property interests for the Sunset Beach Well and Sunset Beach 206' Reservoir, situate at Paumalu, Koolauloa, Oahu, Hawaii, bearing Tax Map Keys (1) 5-9-006:009 and (1) 5-9-006:010.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 4, 2019

BUDGET (Cont'd.)

CR-255

Resolution 19-199

Amending Resolution 17-112, to include valuation methodologies in the scope of the Oahu Real Property Tax Advisory Commission's systematic review of the City's real property tax system.

FOR ADOPTION

CR-256

Resolution 19-204, CD1

Urging the City Administration to enter into a lease or other agreement with Bikeshare Hawaii for use of City property for the Biki Bikeshare Program.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS

Wednesday, September 4, 2019

ZONING, PLANNING AND HOUSING

CR-268

Resolution 19-139, CD1

Approving an application for a Plan Review Use Permit for the expansion of the Women's Community Correctional Center in Kailua. (Applicant: State of Hawaii, Department of Accounting and General Services) (Deadline: 12/3/19)

FOR ADOPTION, AS AMENDED

CR-269

Resolution 19-143, CD1

Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (The Land Use Ordinance), as amended by Ordinance 19-3, relating to detached dwellings.

FOR ADOPTION, AS AMENDED

Resolution 19-143, CD1, Proposed FD1
Submitted by Councilmember Kobayashi

ORDER OF BUSINESS
Wednesday, September 4, 2019

PUBLIC SAFETY AND WELFARE

CR-274

Resolution 19-171

Accepting a gift to the City from Mr. Sal Miwa.

FOR ADOPTION

CR-275

Resolution 19-177

Accepting a gift to the City from Crimestoppers Honolulu, Inc.

FOR ADOPTION

CR-276

Resolution 19-179

Accepting a gift to the City from the National Fallen Firefighters Foundation (NFFF).

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 4, 2019

PUBLIC SAFETY AND WELFARE (Cont'd.)

CR-279

Resolution 19-197

Accepting a gift to the City from The Deputies.

FOR ADOPTION

CR-280

Resolution 19-208

Accepting a gift to the City from Dudek.

FOR ADOPTION

CR-277

Resolution 19-188, CD1

Urging the Federal Aviation Administration to more effectively regulate air tour helicopters and small commercial aircraft operations on Oahu.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS

Wednesday, September 4, 2019

PUBLIC SAFETY AND WELFARE (Cont'd.)

CR-278

Resolution 19-193

Authorizing the Chief of Police of the Honolulu Police Department to apply for and to enter into an agreement with the Bureau of Justice Assistance, U.S. Department of Justice, for funds from the Edward Byrne Memorial Justice Assistance Grant Program FY2019 Local Solicitation.

FOR ADOPTION

Resolution 19-193, Proposed FD1

(Submitted by Councilmember Waters)

ORDER OF BUSINESS
Wednesday, September 4, 2019

BALANCE OF COMMITTEE REPORTS

<u>EMLACR-263</u>	Request for authorization to settle a case against the City and County of Honolulu entitled <u>James J. Baginski v. City and County of Honolulu</u> , Civil No. CV17-00108 ACK-WRP (USDC).
<u>EMLACR-264</u>	Request for authorization to settle a case against the City and County of Honolulu/Honolulu Police Department entitled <u>Gabriel M. Delapenia v. City and County of Honolulu, Honolulu Police Department</u> , Hawaii Civil Rights Commission No. 19278.
<u>ZHCR-270</u>	<u>Resolution 19-161</u> – Granting a Special Management Area (SMA) Use Permit to allow the development of eight dwelling units on the site. Granting a 90-day extension of time. (Applicant: CJ Group, LLC) (Deadline 9/10/19 + 90 days)

FOR ADOPTION

UNFINISHED BUSINESS

ORDER OF BUSINESS
Wednesday, September 4, 2019

NEW BUSINESS

Resolution 19-210

Accepting a gift to the City from the Association of Local Government Auditors.

FOR ACTION

Resolution 19-212

Accepting a gift to the City from RailVolution.

FOR ACTION

ORDER OF BUSINESS

Wednesday, September 4, 2019

Resolution 19-217

Accepting a gift to the City from Delivery Associates, acting on behalf of Bloomberg Philanthropies American Cities Climate Challenge.

FOR ACTION

Resolution 19-219

Accepting a gift to the City from the British Consulate General, Miami.

FOR ACTION

ORDER OF BUSINESS

Wednesday, September 4, 2019

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

If the need arises with respect to any item on this agenda, then pursuant to Council Rule 12.A and Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the Council may resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues pertaining to the Council's powers, duties, privileges, immunities and/or liabilities relating to that item.

ANNOUNCEMENTS

ADJOURNMENT